

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ADENTA GMBH, DR. WOLFGANG HEISER,
and MR. CLAUS SCHENDELL,

Plaintiffs,

Case No. 04-C-905

v.

ORTHOARM INC. and AMERICAN
ORTHODONTICS CORPORATION,

Defendants.

OPINION AND ORDER

Defendant Orthoarm, Inc. has filed a motion in limine asking the court to preclude the Plaintiff from offering expert testimony at trial. OrthoArm says that the Plaintiffs did not make a timely disclosure of any expert, but that it now plans to elicit expert testimony from Plaintiffs Schendell and Heiser.

The court ordered expedited briefing of the motion. The Plaintiffs filed a response and the movant has not filed a reply. The individual Plaintiffs will not be totally barred from testifying at trial. However, the court will enforce the provision of its December 7, 2004, Scheduling Order with regard to “in house” expert testimony. Because the movant has not identified the testimony it wants excluded and has not proposed any limiting instruction which the court could consider, the court ORDERS that ‘Defendant OrthoArm, Inc.’s Motion in Limine to Preclude Plaintiff from Offering Expert Testimony” (filed January 17, 2006) IS DENIED.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 27th day of January, 2006.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge